

1 HONORABLE JAMAL N. WHITEHEAD
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 AT&T MOBILITY LLC,

11 Plaintiff,

No. 2:15-cv-1462

12 v.

13 MARC SAPATIN, SAPATIN NGUYEN
14 ENTERPRISES, INC., SAPATIN
15 ENTERPRISES, INC., NGUYEN LAM,
16 KYRA EVANS, PRASHANT VIRA, SWIFT
UNLOCKS, INC. and JOHN DOES 1-50,
United States individuals and entities,

Defendants.

ORDER GRANTING JOINT MOTION
TO EXTEND STAY

NOTING DATE: May 26, 2023

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18 This matter came on for hearing upon the Joint Motion to Extend Stay submitted by the
19 parties. Having considered the motion, the Court continues the current stay of the case, subject
20 to the following conditions:

21 a. AT&T may only seek relief from the stay or case closure as to a currently named
22 Defendant if restitution is not adjudicated in the related criminal proceedings referenced above.
23 AT&T's right to seek relief from the stay or case closure in order to seek leave to amend the
24 Complaint to name additional defendants, however, shall not be restricted by this Order.

25 b. AT&T shall promptly dismiss with prejudice all claims against each Defendant
26 whose criminal proceeding is final and has resulted in AT&T having the opportunity to request

ORDER GRANTING CONSENT MOTION TO
EXTEND STAY- 1
Case No. 2:15-cv-01462-JNW

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2 restitution against that Defendant.

3 c. For the avoidance of confusion, such dismissal shall occur no later than ten (10)
4 days after AT&T is notified that a guilty plea has been entered that affords AT&T the
5 opportunity to request restitution against that particular Defendant and a sentence against that
6 particular Defendant has been entered.

7 d. If a related criminal proceeding has not yet resulted in the adjudication of
8 restitution as to a particular Defendant by the time a temporary stay of proceedings expires, the
9 remaining Parties shall stipulate to an additional stay or closure of this case, subject to approval
10 by the Court, under the same terms as set forth herein.

11 e. AT&T shall not pursue claims against a remaining Defendant unless AT&T is
12 denied the opportunity to request restitution in that Defendant's criminal case.

13 f. AT&T's dissatisfaction with the amount of restitution awarded against a
14 particular Defendant, or a criminal court's decision not to award any restitution to AT&T, shall
15 not provide AT&T with a basis to pursue claims against that Defendant.

16 g. AT&T will report to the Court by no later than December 15, 2023, regarding
17 the current status of all federal criminal investigations into the Defendants and whether there
18 are grounds that would warrant allowing the case to remain open.

19 DATED: May 30, 2023.
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22 Jamal N. Whitehead
23 United States District Judge
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ORDER GRANTING CONSENT MOTION TO
EXTEND STAY- 2
Case No. 2:15-cv-01462-JNW

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ORDER GRANTING CONSENT MOTION TO
EXTEND STAY- 3
Case No. 2:15-cv-01462-JNW

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